


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOSEPH WAYNE HUNTER,)	
ID # 13034945,)	
Plaintiff,)	
vs.)	No. 3:14-CV-1894-B-BH
)	
CRAIG WATKINS, District Attorney. et al.)	
Defendants.)	Referred to U.S. Magistrate Judge

ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. For the reasons stated in the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, the plaintiff's *Motion for Judgment of Acquittal*, received on May 23, 2016 (doc. 34), and *Motion to Dismiss Frivolous Filings Pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)*, received on June 2, 2016 (doc. 35), are **DENIED**. By separate judgment, the plaintiff's claims for habeas relief will be **DISMISSED WITHOUT PREJUDICE** to reasserting them in a habeas case. All of the plaintiff's remaining claims under 42 U.S.C. § 1983 against Dallas Police Department Officer O. Hampton, Tameka Austin, LaSheawn Rose, Damirus Cooks, and Victor Kelly for allegedly false statements made in support of his arrest and conviction, conspiracy to make false statements, defamation, and false arrest will be **DISMISSED WITH PREJUDICE** until he satisfies the conditions set forth in *Heck v. Humphrey*, 512 U.S. 477 (1994).

SIGNED this 6th day of July, 2016.



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE